

# County of Butler

## Prison Board

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December 18, 2014

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: **WC Docket No. 12-375, Further Notice of Proposed Rulemaking**

Dear Ms. Dortch:

We are writing on behalf of the Butler County Prison Board in response to the Further Notice of Proposed Rulemaking under consideration in this docket.

We have procured telephone services for inmates for their convenience. We can maintain those services only if they can be provided safely and securely and are not used to threaten public safety or assist ongoing criminal activity. The services must also be self-sustaining and not take away from my County's limited financial and personnel resources.

Recently, the Alabama Public Service Commission ruled on rate caps, which included capping the hidden fees and single-payment premium products, but they also permitted the continued payment of commissions. We are hoping the FCC will follow the lead of Alabama which lowers rates and fees to reasonable levels, but allows commission so jails can cover their costs to provide inmate calling services.

The Commission's new proposals about inmate telephones would make it difficult for us to continue providing telephones for inmates.

### 1. **Rates Must Enable Our Carrier to Provide Secure Service.**

Security is our number one priority for inmate phones, and that requirement makes service more expensive. The ability to monitor calls, analyze call data, and thwart illegal activity requires special features and ongoing support. Setting rates that are unreasonably low – much lower than even regular payphone charges – will necessarily cut down the features and support that we can get for inmate phones. If we cannot continue receiving these critical security services with the level of quality and safety we need, we will seriously consider taking the phones out.

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**2. A Multi-Provider System Will Impede Security.**

Forcing us to sign contracts with multiple phone providers will create a huge burden for us and make it astronomically more difficult for us to maintain security. Under the present system, which we have used for decades, we can count on one provider to maintain our service, fix our phones, and get us the crucial call data we need. Having to interface with multiple companies for these services – having multiple phone companies coming in to install equipment, provide officer training, and do repairs – will be chaos. Our confidence that we are maintaining supervision over phone usage would be destroyed. We could not continue making phones available under those circumstances.

**3. We Must Be Able to Block Improper Inmate Call Activity.**

Illicit use of inmate phones is attempted all the time. Inmates try to get around security controls to call people they should not be calling. Or they try to hide the actual number that they are calling. We cannot allow that activity to go on. We must be able to track where and whom inmates are calling. The new prohibition on call blocking that the Commission proposes will prevent us from doing our most important job: maintaining jail safety and protecting the public.

**4. Site Commission Funds Are a Necessity.**

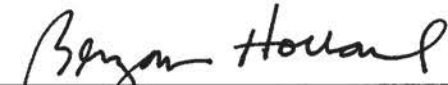
We get site commissions from our inmate phone provider. They provide us the funds we need to help administer inmate phone service – officer training time and monitoring time – and they allow us to increase inmate welfare. We count on those funds as part of our budget, and they are a crucial part of the overall phone service package. The Commission should not prevent us from getting site commissions or prevent service providers from paying them, particularly when they are already part of our contract.

In sum, please do not make any decisions that would prevent us from giving inmates access to telephones in a reliable, secure, and financially self-sustaining manner.

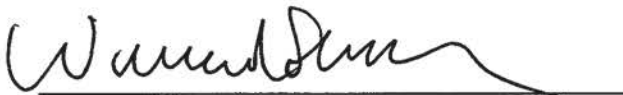
Sincerely,



A. Dale Pinkerton, Chairman



Benjamin Holland, Secretary



Judge William Shaffer



Michael Slupe, Vice Chairman



Commissioner William L. McCarlier



District Attorney Richard Goldinger

cc: Warden Richard Shaffer